

Public Policy Update

ABLE Act

While the Department of the Treasury won't be releasing proposed ABLE Act regulations until at least this summer, many states have already passed state bills already. The IRS did provide notification that it did not want a lack of guidance to discourage states from enacting their enabling legislation and creating their ABLE programs.

To date, 31 states have bills filed with their legislatures; 4 of these are awaiting their governor's signature (MD, MT, WA & TN).

Eight states have enacted legislation; those states are LA, MA, VA, WV, UT, AR, ND and KS. Two states, WI and MI, have bills in the drafting process.

The only states with no current legislative movement are: AZ, ID, ME, MS, and SD.

HCBS Settings Rule

States have submitted their statewide transition plans, as required by the HCBS rule, released in January of 2014. A listing of approved plans can be found [HERE](#). Once approved, states can begin implementation of these plans. The final Home and Community-Based Services regulations set forth new requirements for several Medicaid authorities under which states may provide home and community-based long-term services and supports. The regulations enhance the quality of HCBS and provide additional protections to individuals that receive services under these Medicaid authorities. For a recording of APSE's webinar on The Impact of the HCBS Rule on Employment and Day Services, click [HERE](#).

WIOA

[The Notice of Proposed Rulemaking \(NPRM\)](#) for the Workforce and Innovation and Opportunity Act (WIOA) was released on April 16th by the Departments of Labor and Education. This joint proposed rule provides guidance for State and local workforce development systems that increase the skill and credential attainment, employment, retention, and earnings of participants, especially those with significant barriers to employment, thereby improving the quality of the workforce, reducing welfare dependency, and enhancing the productivity and competitiveness of the nation. Public comments are due June 15th and APSE will submit comprehensive comments on these proposed regulations.